

EXHIBIT 2



KATIE CHARLESTON, ESQ.

1905 S. New Market Street, Suite 169, Carmel, IN 46032
(317) 663-9190 | katie@katiecharlestonlaw.com | katiecharlestonlaw.com
California | Nevada | Texas | Indiana | Florida

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SENT VIA EMAIL

Nicolas A. Jampol
Davis Wright Tremaine LLP
865 South Figueroa Street, Ste. 2400
Los Angeles, CA 90017
Email: NicolasJampol@dwt.com

Re: *Polychron v. Bezos et al.*, Case No: 2:23-cv-02831-SVW-E

Dear Mr. Jampol:

As you are aware, I represent Mr. Demetrious Polychron in the above-captioned case. I am in receipt of your letter dated April 27, 2023, and appreciate your introduction. While we understand your position, we will neither dismiss the case nor back down from our allegations.

The complaint makes clear the basic allegations against your clients as well as that of the Tolkien Estate and related parties. Like it or not, Mr. Polychron has rights to a protected and original literary art and has the right to assert them against those who infringe. Neither your mischaracterizations of my client's statements about his desire to have the book accepted by the Tolkien Estate as related to *The Lord of the Rings*, nor my client's use of characters or ideas from that series invalidate his copyright or authorize the Defendants to blatantly steal his ideas and incorporate them into a television series.

I am familiar with *Anderson v. Stallone*, 1989 WL206431 (C.D. Cal. 1989) and *Pickett v. Prince*, 207 F.3d 402 (7th Cir. 2000), and note that the facts and the required legal analysis here are quite distinct. As you likely know, generally, an idea is not protected either by copyright or by common law, and others may freely borrow ideas from an author's works. *See, Nichols v. Universal Pictures Corporation*, (2d Cir. 1930) 45 F.2d 119, 121 ("...the less developed the characters, the less they can be copyrighted; that is the penalty an author must bear for marking them too indistinctly"); *see also, Suntrust v. Houghton Mifflin*, 268 F.3d 1257 (11th Cir. 2001) (Fair use was found where *The Wind Done Gone* borrowed characters and the semi-fictional universe from *Gone with the Wind*, and mixed them up into a new story, in which the same events are related through the eyes of one of Scarlett O'Hara's enslaved women). *The Fellowship of the King* (the "Book") is just that, an original story created from unprotectable ideas.

Your clients' series, *The Rings of Power*, however, blatantly copied my client's copyright-protected book, down to exact words, scenes and depictions. Such copying is the definition of copyright infringement. We remain, however, open to conversation about how to correct your clients' wrongs outside the court process if your clients desire. We can schedule a call if further discussion is requested in this respect.

Please confirm that you will accept service on behalf of Amazon Studios LLC, Amazon Content Services LLC, Jeff Bezos, Jennifer Stalke, Patrick McKay and John D. Payne. Otherwise, we will proceed with service of process.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Kari Garberson". The signature is fluid and cursive, with the first name "Kari" and last name "Garberson" clearly distinguishable.